THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.11111 OF 2005

Dated: 13-12-2005

Between

Vanamadi Nooka Raju, S/o. Bhairavaswamy, Occ: Fishing, R/o. Gadimoga Tallarevu Mandal, East Godavari District and others.

...PETITIONERS

AND

The Principal Secretary for Home, Government of Andhra Pradesh, Secretariat, Hyderabad and others.

...RESPONDENTS

ORDER:

Petitioners seek a Writ of Mandamus to direct the respondents to provide protection to them from the illegal activists.

Learned counsel for the petitioners submits that the petitioners are the residents of Gadimoga village and in the recent elections some villagers developed grudge against the petitioners, as the petitioners are not obeying their orders, not participating in their illegal activities and not supporting them. The said persons are residents of Kakinada and are creating law and order problem and are interfering with the village internal affairs creating un-rest and tension among the villagers. The petitioners could not tolerate their highhanded and illegal activities and made a representation before the respondents. But the police have not taken any action to protect the petitioners from their illegal and highhanded action.

Counter has been filed by the third respondent stating that the petitioners are residents of Gadimoga Village and there are two groups in the said village. Both the groups were quarrelling among themselves and making allegations against each other and creating nuisance in the village. Both the groups have filed their reports dated 06.02.2005 as well as 07.02.2005 making allegations against each other. The third respondent submitted a report to the Revenue Division Officer, Kakinada, who issued proceedings under Section 107 Code of Criminal Procedure on 02.03.2005 vide M.C.No.4 of 2005 and the same is pending with the Sub-Divisional Executive Magistrate at Kakinada. The third respondent registered a case in Cr.No.24 of 2005 under Sections 147, 324, 323 read with 149 of the Indian Penal Code and investigation is completed. During the course of the investigation the said persons were arrested and sent to judicial remand. It is further submitted that after receipt of the representations from both the parties, the respondents have taken all preventive measures and a police picket is also stationed at the village of the petitioners.

Having regard to the facts and circumstances of the case,
it cannot be said that the police have not taken any action to provide protection to the petitioners from the illegal activities of the other group. However, in view of the aforesaid counter, no further orders need be passed in this writ petition.

The writ petition is accordingly closed.

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V. ESWARAIAH, J

December 13, 2005

DSK